

## OSCAR IN GREAT GLEE THAT HE'S NOT IN JAIL

Also, Martin Beck Is Not Dicker-  
ing for the Victoria,  
He Says.

### NOW, AS TO GRAND OPERA

Well, Hammerstein's Cigar Tilts  
Somewhat and That Is a  
Sign of Joy.

Both Oscar Hammerstein and Martin Beck, head of the Orpheum circuit of vaudeville theatres, denied yesterday the rumor that the impresario of New York, Philadelphia and London, and a dozen cities in prospect, was to sell Hammerstein's Victoria Theatre at Seventh Avenue and Forty-second street to Mr. Beck.

From Mr. Beck, who is in Chicago, came a telegram in response to a teletype inquiry. It was brief. It said, "Why?"

Mr. Hammerstein, who had just returned from a trip to Cincinnati and Pittsburgh in connection with his proposed chain of grand opera houses, had somewhat more to say. He said anything he owned he sold, if he got his price, but there had been no new negotiations with Mr. Beck or any one else regarding the sale or purchase of the Victoria.

"You know," he said, "and so does any one familiar with the theatrical situation, that there was some talk between Mr. Beck and myself nearly two years ago regarding the Victoria. We did not come to terms and there was an end to it. The matter has not been taken up since. Mr. Beck made me a friendly call a few days ago, and a busybody theatrical man saw us. Therefore, according to the busybody, who seems to be his own publicity agent, Mr. Beck is to buy the Victoria. He is not. I'll sell to anybody who will pay my price, but Mr. Beck has made no offer."

Mr. Hammerstein's cigar was tilted backward at an angle of over forty-five degrees. That indicates a happy frame of mind.

"I'm unusually happy to-day," he admitted. "I have just had a successful negotiation regarding my proposed chain of grand opera houses. They will be built in Pittsburgh yesterday for my last stop and all went well. Nearly fifty of the prominent men there who are interested in the project made me the guest of honor at a dinner. Of course I am happy. And then beside that I read in the papers this morning that over 3,000,000 persons were in prison."

"And why should that make you happy?" was asked. "Why not wish no one was in?"

"Because I am not one of the 3,000,000. Anybody who is out of prison nowadays can help."

Mr. Hammerstein refused to discuss the differences between himself and his son, William Hammerstein, who is known as "Hammy" and who is now in London. He said, and it would not be dignified to discuss the matter. He said, "I am not a man to be talked into anything."

Mr. Beck, however, while admitting that he was ill and worn out, was inclined to talk. He said that the book he was writing, "The History of the Victoria Theatre," was not a success. He said that the Victoria Theatre, which he had built in London, was a failure. He said that he was tired of making money and was tired of making a name for himself. He said that he was tired of making a name for himself.

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## JOHN D. MARSTON DEAD.

Coal Operator Stricken With Apoplexy at 1 Broadway.

John D. Marston, a coal operator, was stricken with apoplexy in his office, 1 Broadway, yesterday at noon and died a few minutes later in an ambulance while on way to a hospital. A daughter, Mrs. Lionel R. Hyde of this city was with him, having arrived in answer to a summons.

Mr. Marston had intended leaving town for his summer home at Hillside, N. Y., early in the afternoon, to spend the week end with his family.

He was born in San Francisco in 1848 and came East thirty years ago, at which time he became associated with E. J. Herndon, the railroad magnate and coal mine owner. His entire business career in New York was spent with that firm. Later he had acted as private secretary to Mr. Herndon.

A wife and three children survive. Burial will be from the family home, 634 North Broadway, Yonkers, N. Y.

## PROF. HENRY PRIEST.

Dean of Letters and Science at St. Lawrence University Dies.

CANTON, N. Y., Sept. 27.—Prof. Henry Priest, dean of the College of Letters and Science at St. Lawrence University, died of apoplexy this morning in his lecture room in Science Hall.

Dr. Priest had been connected with St. Lawrence University for thirty years. He was popular with the students. Direct and plain of speech, he kept in close touch with student life. One of the stories told of him is that in years past when he did not have apparatus for classroom work and there was no money to buy it he made it himself.

Dr. Priest was graduated from Tufts college in 1874. For four years he was a member of the Vermont Legislature. He was Haywood professor of physics and acting professor of psychology and ethics. He was regarded as an expert on light waves.

A year or so ago he was taken ill and he travelled in Europe and this country for his health. His death was unexpected, as it was thought that he had fully recovered.

Dr. Priest leaves a widow, who is a sister of Mrs. A. Barton Hepburn, and a son, Prof. Ward Priest, who is connected with St. Lawrence and who will probably succeed his father. The funeral will be held on Sunday at the Universal Church, President Garrison of the college will officiate.

## GEN. JOHN T. LOCKMAN.

Civil War Veteran, Lawyer and Financier Is Dead.

Gen. John T. Lockman died at his home, 140 West Seventy-third street, yesterday morning.

He was born in New York in 1824. For over seven years he served in the old Volunteer Fire Department. At the outbreak of the civil war he was a law student. In April, 1861, he enlisted as a private in the 6th New York Regiment, New York State Militia. Having recruited company "H" of the 6th New York, he was promoted to captain and then to major.

He became a general and was brevetted brigadier-general of volunteers for meritorious services in the capture of Atlanta. At the close of the war he resumed the study of law and in 1872 became a member of the firm of De Witt, Lockman & Kip, afterward, in 1882, De Witt, Lockman & De Witt.

Gen. Lockman was a companion of the Military Order of the Loyal Legion of the United States. He was also a vestryman of Trinity Church, a trustee of the New York Protestant Episcopal Public School, a director of the Lawyers Life Insurance and Trust Company, the Lawyers Mortgage Company and the Mortgage Bond Company, a member of the New York Historical Society, the New York Genealogical and Biographical Society, the New York Society of Natural History, and at the time of his death was president of the St. Nicholas Society.

He was survived by his wife, three daughters and two sons.

William A. Housell, chief of the New Jersey Detective Bureau, and for many years one of the chief detectives of the State, died suddenly in New Brunswick yesterday morning in his fifty-fifth year. Detective Housell had been a justice of the peace almost as long as he had been a detective.

He was a member of the New Jersey Automobile Club, and was one of the organizers of the peace corps. He was a member of the peace corps, and was one of the organizers of the peace corps.

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Two Men of Few Words.

## \$453,684 ESTATE GOES TO HISTORICAL SOCIETY

Miss Catherine A. de Peyster  
Left Little to Distant  
Relatives.

MANY RARE RELICS TOO

Heirlooms of Livingstons and  
Beckmans Part of the  
Bequest.

BOSTON, Sept. 27.—Dr. Albert Wood, a veteran of the civil war and for more than forty years a leader in the medical affairs of Worcester, died on Thursday at his home in that city at the age of 79. He was graduated from Dartmouth in 1854, and entered Harvard Medical School, graduating in 1858. He is survived by his wife and one daughter.

Dr. Wood was a member of the Medical Society of Worcester, and was a member of the American Medical Association. He was a member of the American Medical Association, and was a member of the American Medical Association.

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One of the largest individual bequests ever made to the New York Historical Society is disclosed in the transfer tax appraisal of the estate of Miss Catherine A. de Peyster, who died at 112 East Thirty-sixth street on April 7, 1911. She gave the society her entire residuary estate, which amounts to \$453,684.

Miss de Peyster was the survivor of two sisters who lived in seclusion in the East Thirty-sixth street house for many years. They had no near relatives. Miss de Peyster gave to a great-grandnephew, Theodor Bailey, two candelabra worth \$10 and to Mary de Peyster Charles, a great-grandniece, four candelabra valued at \$30. Silverware valued at \$206 was left to her great-grandniece, Florence Bailey Lawrence.

Other bequests were \$20,000 to the Reformed Dutch Church and \$5,000 to the fire department of Ridgedale, Conn. Miss de Peyster owned about twenty parcels of real estate appraised at \$278,966.

In addition to the residuary bequest to the Historical Society Miss de Peyster gave the society two pairs earrings valued at \$200 and \$150 each; rings valued at \$1,000, \$200 and 100, and a pin appraised at \$1,800.

In making the bequests to the society Miss de Peyster said:

"The bequests to the corporation are made without condition or limitation, but I hope the society will use part of what it receives as a memorial of my parents, William Astell de Peyster and Mary Heckman de Peyster, and that they will set apart in the new building they are erecting on Central Park West, between Seventy-sixth and Seventy-seventh streets, a room in which to preserve the family portraits and such articles of household furniture, silver plate and bric-a-brac as may have an interest from antiquity and associations, some of them having been in the possession of my family in the city of New York for upward of two centuries."

"I give to the society for this room all my family portraits (which I direct shall never be copied in any form of art), the old Chelsea figures that were buried beneath the greenhouse during the Revolutionary War, said greenhouse being the first ever built on Manhattan Island; rare white satin quilt, formerly belonging to my great-grandmother, Mrs. John Livingston, being embroidered in color; pieces of brocade dresses, belonging to my great-grandmother; child's brocade coat, once worn by Johannes de Peyster, also his likeness and that of his wife; Florentine mirror, belonging to my great-grandfather, James Beckman; antique table filled with curios belonging to the Beckman family; white topaz-knee buckles worn by my great-grandfather, John Livingston; modern table with sunken dish 200 years old, belonging to the Beckman family, and a set of cups and saucers of the time of Napoleon I."

Widow Gets Half Lindenmeyr Estate.

The transfer tax appraisal of the estate of Henry Lindenmeyr, a paper merchant, discloses an estate valued at \$508,417, and a net estate of \$147,329. His interest in the firm of Henry Lindenmeyr & Sons is appraised at \$320,023. His widow, Mrs. Maria Lindenmeyr of 143 West Seventy-seventh

## N. COWEN LEFT \$1,013,852.

Of This \$455,900 Was in Mortgages—  
Goes Mostly to Family.

Mortgages aggregating \$455,900 form a large part of the \$1,013,852 estate left by Newman Cowen, who died at 85 East Sixtieth street on February 9 last. He had securities worth \$59,031 and the rest was in real estate.

Mr. Cowen left \$121,476 each to his sons, George and Moses, and his daughters, Hattie, Rottok and Regina Weinberg. William, also a son, got \$181,450, and Mrs. Fannie C. Corn, a daughter, received \$206,470.

Mr. Cowen left \$500 each to Lebanon, Mount Sinai and Beth Israel hospitals, Montefiore Home, the Hebrew Free Loan Association and the United Hebrew Charities, and \$1,000 to the Jewish Theological Seminary.

MRS. T. MCG. TERRY'S WILL.

Her Husband to Receive Income  
From \$500,000 and a Hotel.

The will of Mrs. Tootie McGregory Terry, wife of Marshal O. Terry, who died at 112 East Thirty-sixth street on April 7, 1911, disposing of a \$500,000 estate, has been filed with Supreme Court Judge Frank V. Milard at White Plains for probate.

Her husband receives the income from \$500,000 which at his death goes to the A. M. McGregory Home for the Aged in East Cleveland, Ohio. This home, which was founded by Mrs. Terry's first husband, the late A. M. McGregory, also receives \$200,000 and the residue of the estate. The other bequests are:

Scotland, L. McGregory, a sister, of East Cleveland, \$100,000; Alice Barber Beckley, a niece, of Cleveland, \$100,000; Epile L. Barber, a nephew, of Powhattan, Kan., \$100,000; Dickerson and Ella A. Fowler of Gilham, Ark., nieces, and Alfred J. Barber, a nephew, of New York, each one-fourth of \$150,000; Werner C. Maclellan, the brother, and Martha Olsen, the maid, \$2,500 each; Amelia Clark of Hartford, Conn., \$1,000; Stella Tracy Hatch, \$1,000; St. John's Church, Cleveland, \$1,000; Mamaroneck Free Kindergarten, \$500 and Ella N. Barber of Holton, Kan., \$500 in trust.

She directed that a note for \$100,000, given by E. L. H. A. Sophy H. and Addie L. Barber be destroyed, since she forgave the debt. Her husband also gets the Royal Palm Hotel at Fort Myers, Fla.

GIVES HIS CASHIER \$10,000.

Charles H. Smithers's Will Says It's  
For "Long and Faithful Services."

The will of Charles H. Smithers, a broker who died at Bedford Woods, N. H., on September 2, leaves \$10,000 to his cashier, Robert H. Wylie, "for long and faithful services."

He gave a life interest in half the estate to his wife, Emily Ogden Smithers, and divided the rest of the property among three daughters and a son.

## COUNTRY CLUB SPORT.

Fall Tournaments Now Keep Mem-  
bers Busy in Fine Weather.

Ardley Club—Members will take part in golf, tennis, squash and squash contests to-day. This will be the last of the season. Golf and tennis will be played to-morrow.

Baltimore Golf Club—The first round for the Baltimore Club and the qualifying round for the club championship will attract golfers to-day. Tennis, squash and golf are the features this week end.

Dunwoody Country Club—Golfers will take part in a red card competition to-day and in a bogey handicap to-morrow. There will also be tennis.

Essex County Country Club—The ladies' and mixed doubles tournament at tennis will be played to-day. The Whippoorwill Club polo team will meet the club team at 4 o'clock. Golf will also be played.

Knollwood Country Club—Golf and tennis are the attractions this week end. A mixed doubles tennis tournament for prizes offered by the club will be the feature.

Morris County Golf Club—Golfers will compete to-day for the president's cup. Tennis and golf are features in sport for to-morrow.

Montclair Athletic Club—The New York Athletic Club ball team will play the club team in the afternoon. Tennis will be played by many members this week end.

Richmond County Country Club—Golf, tennis and horseback riding are the attractions this week end. Golfers to-day will take part in a bogey competition and in the weekly club handicap. The golf dinner will be served in the clubhouse this evening.

Rumson Country Club—Tennis, golf, polo and sailing are the attractions for members this week end.

Sleepy Hollow Club—Tennis will be played by many members to-day and to-morrow.

Tuxedo Club—Tennis and golf are the chief attractions this week end.

Greenwich Country Club—Golfers will compete for cups offered by A. B. Whitman and Curran. There will also be an eighteen hole handicap. A ladies' golf tournament will begin to-day for Classes A and B. Tennis players will compete for the club championship.

Canoe Brook Country Club—Golf and tennis will be the features to-day and to-morrow.

Plainfield Country Club—Golfers will play the second round for the club championship to-day. A tennis tournament will also be played by school children.

Englewood Country Club—A team representing New York will play against a team of Englewood at golf to-day. The match will be eighteen holes. The losing team will entertain the winners at dinner in the clubhouse.

Nyack Country Club—Tennis is the only outdoor sport patronized now. Auction bridge and a dance will attract members in the evening.

Oakland Golf and Country Club—Golfers will play the semi-final round for the golf championship to-day. Golf and tennis are the features this week end.

St. Andrews Golf Club—Golfers will play the first round for a trophy offered by the golf committee to-day.

Sargkill Golf Club—Golf and tennis are the attractions this week end. To-day J. Archer and J. Crane will play the final for the club championship.

## PENNSYLVANIA OPENS

WITH RECORD SHAKEUP

Division of University Intd.  
Schools Causes Many  
Changes.

### BEGINS ITS 173D YEAR

Dean McCrea Will Preside Over  
School of Finance and  
Commerce.

PHILADELPHIA, Sept. 27.—Probably the greatest shakeup that ever took place in the faculty of any American university went into effect this morning when the University of Pennsylvania opened for its 173d year. The most important of these changes were caused by the division of the college department into three separate and distinct schools.

The three separate schools over which new men will preside are the Wharton School of Finance and Commerce, over which Dr. Roswell C. McCrea will have jurisdiction and will be dean; the Towne School of Architecture, over which Dr. Arthur Frazer will preside, and the School of Education, over which Dr. Arthur Hobson Quinn has been appointed dean.

In the medical school Dr. William Pepper was appointed dean to succeed Dr. Allen J. Smith, who was developing his time to his professorship in pathology.

Two new professors, to fill the vacancies caused by the deaths of Dr. Thomas H. Montgomery, professor of zoology, and Dr. Henry W. Spangler, professor of mechanical engineering, also made their appearance. Dr. Clarence E. McClung took the position made vacant by the death of Dr. Montgomery and Dr. Robert H. Fernald took the position made vacant by the death of Dr. Spangler.

Several important changes also were announced by the deans of the various schools during their addresses to the students. Chief among them was the appointment of Eric Doolittle as professor of astronomy to succeed his father, who recently resigned owing to advances in age.

Clarence G. Childs is to fill the chair of English and comparative philology, made vacant by the resignation of Dr. Morton W. Easton.

David W. Amram was appointed to fill the vacancy in the chair of practice in the Law School, made vacant through the resignation of John W. Patton, and William G. Lloyd and Ralph Baker were appointed assistant professors of law. Besides these there were many minor changes.

No figures are obtainable as yet upon the students' enrolment, but it is confidently predicted that the first year class will outnumber the entrants last year.

### FORBIDS HAZING AT STEVENS

President Humphreys Issues Warn-  
ing at First Session of 44th Year.

Dr. Alexander C. Humphreys, president of Stevens Institute of Technology at Castle Point, Hoboken, delivered his ultimatum at the opening exercises of the forty-fourth year yesterday on the subject of hazing. He said in part:

"We had a little experience last year in the hazing folly. We settled that bill of fare by deciding that hazing has no standing at Stevens. Hazing is a cowardly and mean, and therefore not to be countenanced for a moment by honorable men. Remember that students have no privilege of hazing anyone. They are permitted to other members of the community. Let me warn you all that disorder in the classroom, laboratory, drawing room or shop is decidedly in opposition to the policy and results. Therefore it cannot and will not be tolerated."

Students must attend to their duties or withdraw from the institute. Those of you who are going to act as men are willing to treat as such. Those who are willing to act as boys we must treat as such."

Yesterday's session was taken up with the enrolment of the 500 students and the assignment of rooms. The freshmen class admitted to the freshman class. This is a little below the normal. On Monday morning the first year class will be enrolled. The first day was brought to a close with the annual came rush on the campus. The freshmen were.

### HAMILTON'S HONOR MEN.

President Stryker Announces School  
Standings for Last Year.

CLINTON, N. Y., Sept. 27.—Scholarship standings for last year at Hamilton College were announced to-day by President Stryker as follows:

Class of 1913: High honor, Abel E. Blackman of Brooklyn, N. Y.; Groves of Pasadena, Cal.; and Donald E. Stoddard of New York. Honors, Sidney A. Davis of Scranton, Pa.; John Howard Hahn of Albany, Joseph P. D. Hull of Malden, Westley M. Ingersoll of Hartford, Conn., and Harold L. Smith of Norwich, Conn. Straton of New York, and William C. Thompson of Thompson's Ridge, N. Y.; Dan C. Batchelor of Camden, Harold I. Cross of Johnston, John W. Forrest of Andes, Hamilton C. Griswold of Rochester, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1914: High honor, Arthur S. Pohl of Vermont; H. H. H. of Dayton, Ohio; William B. Eddy of Dayton, Ohio; Ralph W. Leavenworth of Cleveland, Ohio; and George W. Walker of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1915: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1916: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1917: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1918: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1919: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1920: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1921: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.

Class of 1922: High honor, William C. Adams of Boston, Reginald A. Clarke of Jamaica, N. Y.; Edwin R. Goodrich of Jamaica, N. Y.; H. H. H. of Troy, and Thomas C. Mahady of Clinton, Esquire H. Meyers of Columbus, Ohio; Joseph C. Taylor of Brooklyn, N. Y.; Frank H. Wheeler of Broomfield, N. Y.; and Charles D. Wheelock of Broomfield, N. Y.